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May 14, 2021

VIA ECF

Hon. John Michael Vazquez
Frank R. Lautenberg U.S. Post Office & Courthouse
Room 417
2 Federal Square
Newark, NJ 07102

Re: Federal Trade Commission v. Hackensack Meridian Health, Inc., et al.
Civil Action No. 2:20-cv-18140-JMV-JBC

Dear Judge Vazquez:

Day Pitney LLP and Axinn, Veltrop & Harkrider LLP (“Axinn”) represent third-party Holy Name Medical Center (“Holy Name”). As You will recall, Holy Name’s President, Michael Maron, testified before You on Monday, May 10 in this matter.

Pursuant to Your direction, we have reviewed the testimony of Mr. Maron in closed session to determine which parts of that testimony should be available to the public and which parts should remain under seal pursuant to Local Civil Rule 5.3(c). Below are those parts of Mr. Maron’s testimony in closed session that Holy Name believes should be available to the public (the “Unsealed Testimony”):

86:2-88:17
89:1-3
89:14-22
90:10-91:15
91:22-92:4
92:9-15
93:4-23
96:23-97:7
97:22-98:15
102:1-5
103:10-14
104:21-105:7
106:12-107:7
109:3-9



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109:19-110:8
112:11-118:13
118:23-120:20
121:1-14
122:8-125:3
126:23-133:19
134:1-3
135:3-137:20
138:18-139:10
139:14-140:16
140:23-144:25

We supplied this list of designations yesterday afternoon to the counsel who cross-examined Mr. Maron on behalf of Defendants (Heather Lamberg, Esq.) and counsel for the FTC (Christopher Caputo, Esq.). We have been advised by them, or their designees, that they agree with or do not object to Holy Name's proposed re-designations of Mr. Maron's testimony in closed session listed above.

Accordingly, Holy Name respectfully requests that the parts of the closed session You unseal and make available to the public be limited to only the Unsealed Testimony identified above. Pursuant to Local Rule 5.3(c), Holy Name respectfully requests that all other testimony of Mr. Maron in closed session (i.e., the portions of transcript pages 86:2 through 144:19 not listed above as Unsealed Testimony) remain permanently sealed. Other than the Unsealed Testimony listed above, Mr. Maron's testimony in closed session contains, reveals, or reflects Holy Name's sensitive proprietary and commercial information, the disclosure of which would harm Holy Name by divulging its internal planning, revealing its competitively sensitive strategies, and giving Holy Name's competitors an unfair advantage.

If You should have any questions or require further information, please advise.

Respectfully submitted,

/s/ Michael K. Furey

Michael K. Furey

cc: All counsel of record (via ECF)